

REMARKS/ARGUMENTS

Prior to entry of this Amendment, the application included claims 1 – 5, 7 – 15, 17 – 25, and 27 – 30. Claims 1, 7, 11, 17, 21, and 27 are amended; claims 8 – 10, 18 – 20, and 28 – 30 are canceled; and claims 31 – 41 are added. Hence, after entry of this Amendment, claims 1 – 5, 7, 11 – 15, 17, 21 – 25, 27, and 31 – 41 stand pending for examination. Support for the amendments herein can be found throughout the specification, for example at p. 7, ll. 4 – 10 and p. 28, ll. 11 – 21. As such, no new matter is added by these amendments. Applicant respectfully requests reconsideration of the application as amended.

Claim Objections

Claim 30 stands objected to for an informality as being misnumbered as claim 31. As claim 30 is canceled by this Amendment, this rejection is moot.

Rejections Under 35 U.S.C. § 102

Independent claims 1, 11, and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent Publication No. 2004/0204938 to Wolfe et al. ("Wolfe"). For a valid anticipation rejection, the Office must show that each limitation from the claims appears in a single piece of prior art. Applicant, however, believes that recitations of the independent claims are not taught or suggested by Wolfe.

For example, Wolfe fails to specifically teach or suggest (1) "generating a statistical metric ... at least partially as a function of a level of performance of said remote transcription provider relating to transcribing said recorded message into said transcript file; and managing performance of said remote transcription provider as a function of said statistical metric," as generally recited in claims 1, 11, and 39; and (2) "monitoring a current time; monitoring an expected delivery time for delivering said transcript file; and generating a

notification when a duration between said current time and said expected delivery time becomes less than a predefined notification threshold," as generally recited in claims 21, 35, and 37.

For at least this reason, Applicant respectfully submits that the specified limitations in independent claims 1, 11, and 21 are allowable. Claims 2 – 5, 7, 12 – 15, 17, 22 – 25, 27, and 31 – 41 are also allowable for at least the reason that each depends from an allowable base claim. Applicant, therefore, respectfully requests that the §102(e) rejections to these claims be withdrawn.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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